



NATIONAL TRANSPORTATION SAFETY BOARD  
OFFICE OF MARINE SAFETY  
WASHINGTON, D.C. 20594

## HOUSTON PILOTS ERRATA

### IIC's Factual Report

#### *Genesis River / Voyager Tow* DCA19FM033

Page/ Line	Original	Correction	NTSB Disposition of Party Comment
16/18	"In a deposition taken in October 2019, the AB stated that he requested investigation or interview/hearing process and have no place in the report. permission from pilot 2 to tum over the helm to the OS. However, "	COMMENT: This should be stricken in its entirety. The depositions are not part of the NTSB investigation or interview/hearing process and have no place in the report.	Not accepted. Although the NTSB was not involved in the civil suit related to this accident, the agency must consider all available evidence gathered by the NTSB and the US Coast Guard or submitted by parties. With respect to the deposition of the AB, as well as depositions of the master, chief officer, chief engineer, second officer, cadet, and OS, these were submitted as evidence to the Coast Guard by Kirby Inland Marine in the company's post-hearing submission in conjunction with the Coast Guard's formal hearing into the accident. Access to this evidence should have been provided to all

			Coast Guard <i>parties in interest</i> (not to be confused with NTSB parties to the investigation), including the Houston Pilots, via the Coast Guard's Homeport website. Please contact the Coast Guard if access is not available.
16:20	"However, pilot 2 told investigators that he was not informed that a trainee was at the wheel and the VDR did not capture any audio of the AB requesting permission to change helmsman."	"Pilot 2 told investigators that he was not informed of any change in quartermaster or that a trainee was at the wheel and the VDR did not capture any audio of the AB or any other crewmember requesting permission to change quartermasters."	Partially accepted. During the Coast Guard hearing, pilot 2 was asked specifically if he was informed or was otherwise aware that the OS had taken the helm. He was not asked the more general question of whether he was informed of <i>any change in quartermaster</i> . Captain Charpentier's post-hearing submission likewise only focused on his awareness of the OS at the helm. In order to maintain the accuracy of the factual report based on the evidence provided, the first clause of the sentence has been edited to state "OS" vice "trainee". The remainder of the recommended change has been accepted, with the exception that "quartermaster" has been replaced with "helmsman" for continuity throughout the report. The revised text is as follows: "However, pilot 2 told investigators that he was not informed that the OS was at the wheel, and the VDR did not capture audio of the AB or any other crewmember requesting permission to change helmsmen."
16/37	Pilot 1	Pilot 2	Accepted. Change made to text.
17/4	Pilot 1	Pilot 2	Accepted. Change made to text.
10/Fig 6 17/Fig 9	Chartlet outdated - inaccurate	(1) This chart does not have the cut-away on the east side that straightens the turn and (2) I don't believe it has the dredge flare to the west depicted. (3) The BW OAK course line is also not correct as it used the cut-away not the course depicted.	Note: Elements of the comment have been numbered so that each can be addressed individually. (1) Accepted. Chart has been updated by NTSB to reflect cutaway based on USACE drawings. Also, text describing USACE

			<p>dredging in this areas (page 9 line 30 to page 10 line 2) has been revised as follows: “In 2017, the southern side of the Bayport Flare and the eastern side of the turn at Five Mile Cut was dredged by the US Army Corps of Engineers, widening the flare and the channel in this area so that large inbound vessels can more safely navigate both the turn at Five Mile Cut and the turn into the Bayport channel.”</p> <p>(2) Not accepted. Chart correctly reflects dredge flare to the west as indicated on USACE drawing.</p> <p>(3) Not accepted. The <i>BW Oak</i> track was accurately depicted AIS data from the vessel, taking into account the location of the AIS antenna on the vessel. This track was then verified by the playback of Captain Barton’s PPU. The <i>BW Oak</i> did not enter into the cut-away.</p>
26/4	Description of Houston Pilots revised for accuracy. Track changes used.	<p>"The Houston Pilots are an association of <del>nautical</del> <b>ship</b> pilots licensed by the <del>s</del>State of Texas and the Coast Guard to serve on vessels transiting the Houston Ship Channel. The Board of Pilot Commissioners for the Ports of Harris County, Texas, oversees the Houston Pilots. According to the Houston Pilot's <del>p</del>Presiding <del>e</del>Officer, each pilot is <b>essentially</b> "an independent contractor." State law requires completion of a 3-year deputy training period before licensing as a full branch pilot. Deputies <del>although members</del> are trained via a standardized 3-year program. Full branch pilots share resources such as pilot boats and centralized dispatching services. The Houston Pilots participated in the <del>also</del> development of the Mariner Guide to Navigating the Houston-</p>	<p>Accepted, with editorial changes. Most notably, information about the Lone Star HSC mariner guide has been removed, as this paragraph focuses specifically on the Houston Pilots’ organization and guidelines. Revised text as follows: "The Houston Pilots are an association of ship pilots licensed by the state of Texas [editor’s note: in the style guide used by the NTSB (Chicago Manual of Style) “state” is not capitalized when the format “state of ___” is used] and the Coast Guard to serve on vessels transiting the Houston Ship Channel. The Board of Pilot Commissioners for the Ports of Harris County, Texas, oversees the Houston Pilots. According to the Houston Pilot's Presiding Officer, each pilot</p>

		<p>Galveston Area Waterways, a publication of the Lone Star Harbor Safety Committee. It contains guidance for mariners in the Houston Ship Channel and neighboring waterways, including communications, distances and clearances, anchorage information, and specific navigation safety guidelines for all areas of the Houston Ship Channel. <del>The pilots themselves have developed what is These guidelines were formerly known as the Working Rules and are now</del> entitled the Navigation Safety Guidelines for the Houston Ship Channel. <del>The Navigation Safety Guidelines represent the collective experience and judgement of the State licensed pilots for Harris County ports and have been developed to ensure the safe and efficient movement of vessels on the Houston Ship Channel and its navigable deep draft tributaries.</del> The pilots aboard the Genesis River and BW Oak were members of the Houston Pilots. The Voyager did not have and was not required to have a pilot on board".</p>	<p>is ‘an independent contractor.’ State law requires the completion of a 3-year deputy training period before licensing as a full branch pilot, and deputies are trained via a standardized program. Full branch pilots share resources such as pilot boats and centralized dispatching services. The Houston Pilots have developed and maintain a publication entitled <i>Navigation Safety Guidelines for the Houston Ship Channel</i>. According to the publication, the guidelines ‘represent the collective experience and judgement of the state licensed Pilots for Harris County ports and have been developed to ensure the safe and efficient movement of vessels on the Houston Ship Channel and its navigable deep draft tributaries.’ The pilots aboard the <i>Genesis River</i> and <i>BW Oak</i> were members of the Houston Pilots. The <i>Voyager</i> did not have and was not required to have a pilot on board.”</p>
32/1-7	COMMENT & REQUEST	<p><b>COMMENT:</b> With regard to the 9.4 second "adjustment" of time, fairness dictates at least a comment be made that Houston Pilots and Capt. Charpentier object to the blanket adjustment. If one applies the 9.4 adjustment to all the parametrics on the VDR, some of the results are impossible or blatantly incorrect. For instance, in some cases the "adjustment" results in the rudder command being carried out by the helmsman BEFORE the pilot gives the command. At the very least, this should be noted in the report so as not to give the impression that the time adjustment is an exact measure or some type of valid reconciliation of the VDR times.</p>	<p>Pending. The presence of a time offset between the audio and parametric data on the <i>Genesis River</i> is irrefutable. It is apparent throughout the entire transit of the vessel, from both rudder and engine data during the time that both pilots had the conn. However, noting the Houston Pilots’ concerns and in order to ensure that the adjustment for this time offset is as accurate as possible, the NTSB is reevaluating the VDR data to either validate the 9.4 second adjustment or determine a more precise value. The NTSB will inform parties of its determination when completed.</p>